

8-10-05

AF/IFW/8  
Patent  
Attorney Docket No. 249,304  
Express Mail No. EV616525943,US

AMENDMENT TRANSMITTAL LETTER

IN RE THE APPLICATION OF: Joseph S. Bieganeck, Thomas R. Hetzel and Joan Padgitt

SERIAL NO: 10/628,890

DATE FILED: July 28, 2003

FOR: APPARATUS AND METHOD FOR EVALUATING CLEARANCE FROM A CONTOURED SEAT CUSHION

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

TRANSMITTED HERewith IS AN AMENDMENT IN THE ABOVE-IDENTIFIED APPLICATION

- ☒ Amendment and Response to Final Office Action  
☒ Check in the amount of \$825.00

FEES HAVE BEEN CALCULATED AS SHOWN BELOW:

	(COL. 1) CLAIMS REMAINING AFTER AMENDMENT	(COL. 2) HIGHEST NO. PREVIOUSLY PAID FOR		(COL. 3) PRESENT EXTRA	SMALL ENTITY			LARGE ENTITY	
					RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
TOTAL:	44*	-	27	17**	X \$25 =	\$425.00	OR	X \$50 =	\$0.00
INDEP:	7*	-	3	4***	X \$100 =	\$400.00	OR	X \$200 =	\$0.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					+ \$180 =		OR	+ \$360 =	
ADDITIONAL FEES					TOTAL:	\$825.00	OR	TOTAL:	\$0.00

\*IF THE ENTRY IN COL. 1 IS LESS THAN THE ENTRY IN COL. 2, WRITE "0" IN COL. 3.

\*\*IF THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" IN THIS SPACE IS LESS THAN 20, WRITE "20" IN THIS SPACE.

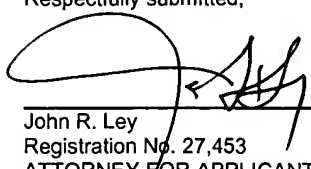
\*\*\*IF THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" IN THIS SPACE IS LESS THAN 3, WRITE "3" IN THIS SPACE.

THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" (TOTAL OR INDEPENDENT) IS THE HIGHEST NUMBER FOUND FROM THE EQUIVALENT BOX IN COL. 1 OF A PRIOR AMENDMENT OR THE NUMBER OF CLAIMS ORIGINALLY FILED.

- ☒ A CHECK IN THE AMOUNT OF \$825.00 FOR THE ADDITIONAL FEES IS ENCLOSED.
- ☒ THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE PAYMENT OF THE FOLLOWING FEES ASSOCIATED WITH THIS COMMUNICATION OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 12-1087. **A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.**
- ☒ ANY FILING FEES UNDER 37 CFR 1.16 FOR THE PRESENTATION OF EXTRA CLAIMS.
- ☒ ANY PATENT APPLICATION PROCESSING FEES UNDER 37 CFR 1.17.

Dated at Greenwood Village, Colorado, this 9<sup>th</sup> day of August, 2005.

Respectfully submitted,

  
John R. Ley  
Registration No. 27,453  
ATTORNEY FOR APPLICANT

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Customer No. 28785



PATENT  
Attorney Docket No. 249.304  
Express Mail Label No. EV616525943US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Joseph S. Bieganeck, Thomas R. Hetzel and Joan Padgitt  
Serial No. : 10/628,890  
Filed : July 28, 2003  
Title : APPARATUS AND METHOD FOR EVALUATING  
CLEARANCE FROM A CONTOURED SEAT CUSHION  
  
Group Art Unit : 2859  
Confirmation No. : 3853  
Examiner : Yaritza Guadalupe

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION  
under 37 CFR 1.116

Mail Stop Amendments  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed June 9, 2005, please amend the application as set forth below in the three Parts of this Amendment and Response. The amendments are made to comply with the requirements of form set forth in the June 9, 2005 Office Action, in accordance with 37 CFR §1.116.

IN THE SPECIFICATION:

Amend the paragraphs of the specification identified at item 1 of Part 1 in the manner shown by the markings.

IN THE CLAIMS:

Cancel claims 1, 3 and 13.

Amend claims 2, 4-12, 14 and 17-26.

Add new claims 27-47.

Part 2 hereof presents the claims with markings to indicate the changes.

REMARKS:

Part 3 comments on the above amendments, and the Office Action.

08/11/2005 JBALINAN 00000060 10628890

01 FC:2201  
02 FC:2202

400.00 OP  
425.00 OP



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**CERTIFICATE OF MAILING BY EXPRESS MAIL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned hereby certifies that the attached Amendment Transmittal Letter; Amendment and Response to Final Office Action; check in the amount of \$825.00; Certificate of Mailing by Express Mail; and Return Card, relating to the above application, were deposited as "Express Mail," Mailing Label No. EV616525943US, with the United States Postal Service, addressed to Mail Stop Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 9<sup>th</sup> day of August, 2005.

8-9-05  
Date

8-9-05  
Date

Bernie Bursey  
Mailer

John R. Ley  
Registration No. 27,453  
ATTORNEY FOR APPLICANT

Customer No. 28785

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